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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,884	07/28/2003	Marc J. Shlaes	23688/04164	3865

24024 7590 06/26/2006

CALFEE HALTER & GRISWOLD, LLP  
800 SUPERIOR AVENUE  
SUITE 1400  
CLEVELAND, OH 44114

EXAMINER
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ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



**DETAILED ACTION**

1. This communication is in response to the application filed on 7/28/03

Claims 1-23 are pending in this Office Action.

***Election/Restrictions***

2. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-19 are drawn to using the data access mechanism of the single data source to facilitate access to the single data source, classified in class 707, subclass 9.
  - II. Claims 20-23 are drawn to populating the columns of the result set with data retrieved from the query, classified in class 707, subclass 102.

The inventions are distinct, each from the other because of the following reasons:

Inventions in Groups I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention in Group I has separate utility such as using the data access mechanism of the single data source to facilitate access to the single data source. See MPEP § 806.05(d). Invention in Group II has separate utility and requires populating the columns of the result set with data retrieved from the query.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purpose as indicated is proper.

Applicants are advised that the reply to this requirement to be complete must include and election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicants are reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

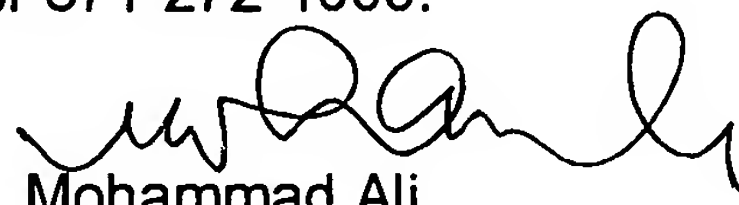
**Response time for this office action is one month (30 days).**

***Contact Information***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Mohammad Ali  
Primary Examiner  
Art Unit 2166

MA  
June 18, 2006